

PLANNING APPLICATION NUMBER:P15/0137

Type of approval sought	Tree Preservation Order
Ward	Wollaston and Stourbridge Town Norton
Applicant	Mr Mark Britton
Location:	THE OLD APPELYARD, 26B, GLADSTONE ROAD, WOLLASTON, STOURBRIDGE, DY8 3PE
Proposal	FELL 1 SYCAMORE TREE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

TREE PRESERVATION ORDER NO: D767 (2003) –A1

SITE AND SURROUNDINGS

1. The tree subject to this application is an early mature sycamore tree that is situated in the rear garden of 26b Gladstone Road. The property is set back from the road in a small private drive, and the tree is located at the point of the triangular rear garden. The tree is visible from the public highway, but due to the set back from the road it provides a low amount of amenity to the surrounding area. The tree is not visible from any other public vantage point.
2. The tree is protected as part of Area 1 of Tree Preservation Order 767 that was served in 2003. The area order also covers the two rear gardens to the north of the applicant's property.

PROPOSAL

3. Summary of proposals for the works as written on application form is as follows:
 - Fell 1 sycamore tree.
4. The tree has been marked on the attached plan.

HISTORY

5. There have been three previous Tree Preservation Order applications on this site.

Application No	Proposal	Decision	Date
P12/1115	Fell 1 Sycamore	Approved with conditions	20/11/2012
P12/0070	Crown thin 1 sycamore tree	Approved with conditions	28/03/2012
P10/1318	Prune 1 Sycamore Tree	Approved with conditions	18/11/2010

PUBLIC CONSULTATION

6. Three letters of objection has been received from residents in Park Road West. The grounds of objection area are as follows:

- A number of other trees have been felled in the area recently;
- The loss of the tree will have an impact on the environment and wildlife of the area;
- The tree provides amenity to the local neighbours;
- The tree was in the garden when the applicant bought the property;
- The tree would provide privacy from the dormer bungalow that is currently being constructed on the adjacent site.

ASSESSMENT

Tree(s) Appraisal

<i>Tree Structure</i>	Tree 1
Species	Sycamore
Height (m)	7
Spread (m)	5
DBH (mm)	3 x 250
Canopy Architecture	Poor - previously topped
Overall Form	Moderate / poor
Age Class <i>Yng / EM / M / OM / V</i>	Early Mature
<i>Structural Assessment</i>	
Trunk / Root Collar	Good - no obvious defects although obscured by ivy

Scaffold Limbs	Good	
Secondary Branches	Good	
% Deadwood	1%	
Root Defects	None Evident	
Root Disturbance	None Evident	
Other		
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part No

Vigour Assessment

Vascular Defects	None Evident	
Foliage Defects	None Evident	
Leaf Size	Good	
Foliage Density	Good	
Other		

Overall Assessment

Structure	Good	
Vigour	Good	
Overall Health	Good	

Other Issues

Light Obstruction	Slight	
Physical Damage	None evident	
Surface Disruption	None Evident	
Debris	Some	

Amenity

Assessment

Visible	Partially	
Prominence	Low	
Part of Wider Feature?	No	
Characteristic of Area	Yes	
Amenity Value	Low	

Further Assessment

7. The applicant has proposed to fell the tree as it shades that garden; due to its low amount of amenity; and the ongoing expense of maintenance.
8. On inspection the tree was found to be in a good condition with no major defects present.

9. Whilst the tree is publicly visible from Gladstone Road, it is not prominent as it is only visible above over the side garden of 24 Gladstone Road (a gap of some 5 metres) and as the tree is set back some 65 metres from the road, and is currently shorter than the house it sits behind, it is considered to provide little in the way of public amenity. The tree is not publicly visible from the adjacent Park Road West of Fairfield Rise.
10. Due to this lack of public amenity, the justification required to fell the tree should be similarly limited. Whilst the reasons put forward for the application i.e. the shading impact of the tree and the cost of future maintenance, would not normally be considered sufficient grounds for the felling of a tree that provides a good amount of amenity to the surrounding area, in this case it is considered that they may be sufficient to justify the felling.
11. Whilst the tree will be visible from the objectors' properties, and may even be relatively prominent at the end of their gardens, this visibility provides a private amenity to the objectors, and as such no significant weight can be attached to this private visibility in the consideration of the application.
12. With regards to the other objections, all trees that have been felled in the area, most recently as a result of an approved planning application, were all considered to provide an insufficient amount of public amenity to warrant their retention.
13. The removal of this tree will have a limited impact on the environment and wildlife in the area, given that this tree is one of many that are situated in a relatively larger area of contiguous rear gardens that extend up towards the school, woodland, and open countryside beyond.
14. Whilst the tree would have been present when the applicant bought the property, no weight can be attached to this fact, and the application must be considered on the grounds of the impact on the public amenity of the area.
15. The dormer bungalow that is currently being constructed in the rear garden to the north of the applicant's property will have windows on the south west facing elevation. Due to the relationship between the two sites, this will allow some overlooking over the very end of the garden of one of the objectors gardens (10 Park Road West), although given that the objectors' gardens are some 45 metres long, from the rear boundary to the rear elevation of the houses, it is not considered that there will be any significant overlooking from the new property.

16. Even if the tree did provide a privacy screen between properties, it is not considered that much weight could be attached to this, as this relates to a private amenity rather than a public amenity.
17. It is considered that the felling of the tree is acceptable, as its removal will have almost no impact on the amenity of the area.
18. Due to the low amenity value of the tree and the limited impact of its removal on the public amenity of the area, it is not considered that the requirement of a replacement tree could be reasonably required.
19. Overall given the minimal impact on the amenity of the area that would result from the felling of the tree it is not considered that there can be any reasonable objection to the proposed felling.

CONCLUSION

20. The applicant has proposed to fell the tree as it shades that garden;
21. On inspection it is considered that if the tree was felled there would be little or no impact on the amenity of the area, as the tree currently provides little amenity to the area. As such it is not considered that there can be any reasonable objection to the proposed removal of the tree.
22. The objections that have been received are not considered to raise any grounds on which this application could be reasonably refused.

RECOMMENDATION

23. It is recommended that application is approved subject to the conditions set out below.

Conditions and/or reasons:

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Treework'.



FAIRFIELD RISE

GLADSTONE DRIVE

GLADSTONE ROAD

PARK ROAD WEST

St Erics

Homelea

Merrickette

Cranbourn

Corner

T1

86.0m

85.0m

Ward Bdy

